

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

SHAY'LIN SHAYLAH BARBEE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:21-CV-0286-DMC

ORDER

Plaintiff, who is proceeding with retained counsel, brings this action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). Pursuant to the Court's scheduling order, Plaintiff is required to prosecute this action by either seeking voluntary remand or filing a dispositive motion within 45 days of December 14, 2021. Plaintiff was warned that failure to comply may result in dismissal of this action for lack of prosecution and failure to comply with court rules and orders. See Local Rule 110. To date, more than 45 days have elapsed and Plaintiff has not complied.

Plaintiff shall show cause in writing, within 30 days of the date of this order, why this action should not be dismissed for failure to seek voluntary remand or file a dispositive motion. The filing of either notice that Plaintiff has sought a voluntary remand or Plaintiff's dispositive motion shall constitute a sufficient response. Plaintiff is again warned that failure to

1 respond to this order may result in dismissal of the action for the reasons outlined above, as well
2 as for failure to prosecute and comply with court rules and orders. See id.

3 IT IS SO ORDERED.

4
5 Dated: March 23, 2022

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE